

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO.: 05-274M
Plaintiff,)
v.)
DETENTION ORDER
JACK NICHOLS,)
Defendant.)

Offense charged:

Conspiracy to Engage in Bulk Cash Smuggling

Date of Detention Hearing: June 9, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by Complaint with conspiracy to engage in bulk cash smuggling. The AUSA alleges that the charges are part of a much larger conspiracy involving over five million dollars smuggled into Canada over a number of years.

(2) Defendant does not have any ties to this District, with all of his family residing in

01 Canada. He is a Canadian citizen. He is employed as a long haul truck driver and crosses the
02 border up to twice a week for his job and throughout the continental United States. He is on the
03 road for long stretches of time and frequently sleeps in the cab of his truck. Some of the
04 information could not be verified by pretrial services, although defense counsel represented that
05 he was able to confirm the information regarding employment and residence.

06 (3) Defendant poses a risk of nonappearance due to lack of ties to this District,
07 Canadian citizenship, some unverified background information, the transitory nature of his
08 employment as a long haul truck driver, and the nature of the charges involving bulk cash
09 smuggling of large amounts of currency. He poses a risk of danger due to the nature of the
10 charges.

11 (4) There does not appear to be any condition or combination of conditions that will
12 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
13 to other persons or the community.

14 It is therefore ORDERED:

15 (1) Defendant shall be detained pending trial and committed to the custody of the
16 Attorney General for confinement in a correction facility separate, to the extent
17 practicable, from persons awaiting or serving sentences or being held in custody
18 pending appeal;

19 (2) Defendant shall be afforded reasonable opportunity for private consultation with
20 counsel;

21 (3) On order of a court of the United States or on request of an attorney for the
22 Government, the person in charge of the corrections facility in which defendant is
23 confined shall deliver the defendant to a United States Marshal for the purpose of
24 an appearance in connection with a court proceeding; and

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01 (4) The clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 9th day of June, 2005.

05 
06 Mary Alice Theiler
07 United States Magistrate Judge